

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:23CR30-1
	:	
JHAMAR ORATAVIO DAWSON,	:	
also known as “Smoke” and “Marty”	:	

FACTUAL BASIS

NOW COMES the United States of America, by and through Sandra J. Hairston, United States Attorney for the Middle District of North Carolina, and as a factual basis under Rule 11, Fed. R. Crim. P., states the following:

Jhamar Oratavio Dawson is a Convicted Felon:

Jhamar Oratavio Dawson was convicted of Felony Flee to Elude Arrest in a Motor Vehicle (N.C. Gen. Stat. § 20-141.5(B)) and Obtaining Property by False Pretense (N.C. Gen. Stat. § 14-100) on December 9, 2021 in Durham County Superior Court. The former occurred on January 23, 2020 and the latter occurred on April 6, 2019. Dawson was sentenced to 6-17 months in prison which was suspended in favor of 24 months of probation. The plea transcript, which Dawson signed, states that the “Maximum Punishment” for both is 39 months.

Dawson Possessed a .40 Caliber Handgun on June 21, 2022:

On June 21, 2022 at approximately 6:55 pm, a State Highway Patrol trooper was stopped at a redlight on the I-85 exit ramp at E. Club Blvd. in Durham, North Carolina. The trooper was in a marked patrol car. When the light turned green the trooper pulled into the intersection. As he did so, a maroon Honda Accord screeched to a stop beyond the white line to avoid hitting the trooper's car. Smoke came from the car's tires.

The trooper activated his lights. The car made a U-turn and fled west on E. Club Blvd. The trooper pursued the car. The fleeing car crossed the double yellow line to pass another car. As the car continued towards Dearborn Dr., it reached speeds of 75mph in a 45mph zone.



At the intersection of E. Club Blvd. and Dearborn Dr., the car skidded off the road and hit a ditch. The impact caused the car to explode in flames and go

airborne. The vehicle landed on its wheels.





*The above diagram shows the path of the car's flight.*

The passenger, a black man wearing a black t-shirt and white shorts, immediately got out of the car and fled. He held his waistband as he ran. The driver, Dawson, wearing a white t-shirt and blue jeans, quickly climbed over the center console, exited through the passenger door, and fled.



The trooper chased the men. Dawson jumped a fence. The trooper briefly lost sight of Dawson and then saw him walking in the woods and pursued him. As he did so, a woman pointed and told the trooper that one of the men was in a backyard of a residence on Dearborn Drive. The trooper found Dawson sitting



behind a car and arrested him.

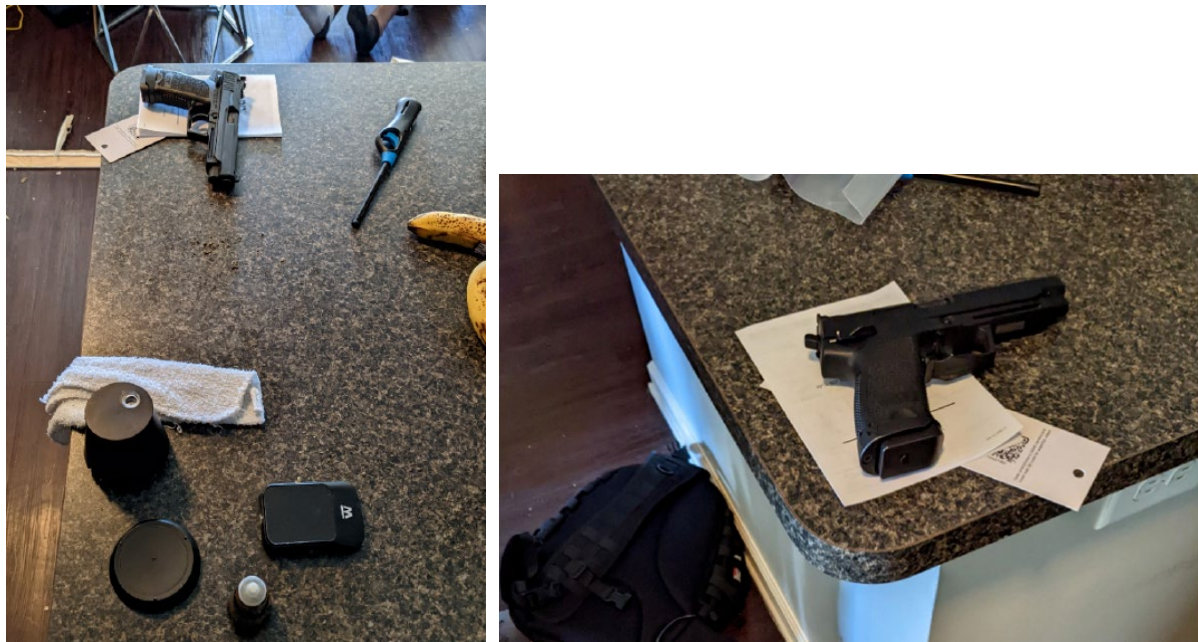
The engine of the maroon Honda that Dawson had fled in was still burning. Firefighters arrived and extinguished the fire. Officers saw a Glock .40 caliber handgun (serial number YMC839) lying on the driver's seat of the Honda where Dawson had been seated before fleeing.



Dawson Possessed a 9mm Handgun on October 11, 2022:

Federal Bureau of Investigation (FBI) Safe Street Task Force agents arrested Dawson at an apartment in Wake County, North Carolina on October 11, 2022 for violating 18 U.S.C. § 922(g)(1) on June 21, 2022. The apartment, a one-bedroom unit, was leased to Dawson's girlfriend. Prior to the arrest, the agents saw Dawson leave the apartment and then return. Upon entry into the apartment, agents encountered Dawson and his girlfriend in the bedroom. A

second man was sleeping on the living room couch. On the kitchen counter, the agents saw a H&K 9mm handgun (serial number 24-182865) and a digital scale. The handgun was later discovered to have been stolen in 2022 while being shipped from a firearms distributor to a firearms retail store in Durham.<sup>1</sup>



The second man and Dawson's girlfriend denied ownership of the gun, as did Dawson. Agents received consent to search the apartment. They located a pair of dark grey Carhartt coveralls, \$3,640 in cash in a men's shoe, and Dawson's phone<sup>2</sup> in the bedroom. In the pocket of the coveralls, agents found the following, all of which is pending laboratory testing:

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<sup>1</sup> Roxboro Police Department report 22-001831.

<sup>2</sup> The number assigned to the phone was the same as the number Dawson provided to his state probation officer.

- a bag containing 1.7 grams of suspected cocaine (field tested positive);
- a bag containing thirty-two suspected methadone pills (identified based on the imprint marking); and
- a bag of suspected lorazepam pills (identified based on imprint marking).



Pursuant to a warrant, agents reviewed the contents of Dawson’s phone. The phone’s Safari web browser was used to search for “usp 9 hk” and “usp 9 hk parts” in September 2022.

FBI agents identified the Instagram account “dearborn.drive” as belonging to Dawson. Many of the pictures posted by the user depict Dawson, including one posted in April 2022 of him pointing a handgun at the camera. The account is registered to the email address jhamardawson@[redacted].com.

On October 10, 2022, at approximately 9:30 am, the day before Dawson's arrest by the FBI, the user of the dearborn.drive account posted, "Ms on deck tap n."<sup>3</sup> At approximately 10 pm, the user of the account posted a video. The video depicts a man, believed to be Dawson, from the waist down wearing dark grey Carhartt coveralls identical to those recovered from the Wake County apartment. The man says, "I am trying to put on for my family, make sure my family right" and refers to his outfit as his "real deal trapfit." During the video, the man unzips his coveralls, reaches to his waistband, and states "I got that shit up under here too though, just in case mother fucker."

Pursuant to a warrant, agents obtained the contents of the dearborn.drive Instagram account from January to October 2022. Text messages to and from the account indicate that the account was used to sell pills (referred to as "dropes") and marihuana (referred to as "za"). Additionally, a video partially depicts a gun on Dawson's lap. The butt and magazine baseplate are consistent with the H&K 9mm handgun seized from the apartment on October 11, 2022.

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<sup>3</sup> Methadone pills are marked with a capital "M."



Interstate Nexus

FBI Special Agent Eric Nye is a firearms nexus expert and has been qualified as such on previous occasions in federal court. Upon his review of the Glock and H&K handguns, he determined that both were manufactured outside of the state of North Carolina.

This, the 15th day of January, 2023.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2023 the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Thomas Maher, Esq.

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